

RESOLUTION NO 20071011-014

WHEREAS, the City Council of the City of Austin has found that public necessity requires the City of Austin to acquire a certain real property interest for public purposes as set out below, and

WHEREAS, the City of Austin has attempted to purchase the needed real property interest but has been unable to agree with the owners on the fair market value thereof, **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain on behalf of the City of Austin against the owners now having, or who may acquire, an interest in the real property interest needed by the City, described and located below, for the public purposes set out below, and to take whatever other action may be deemed appropriate to economically effect the needed acquisition

The City Attorney, or other authorized designee, shall file eminent domain proceedings for

Owners Nassour Investments, L P , The Estate of H R Nassour, Jr ,
M D , Jimmy Nassour, 1400 SF, L L C , a Texas limited
liability company

Project Govalle 1 – South 2nd Street Reroute Phase I Wastewater Improvement Project, a portion of the Austin Clean Water Program

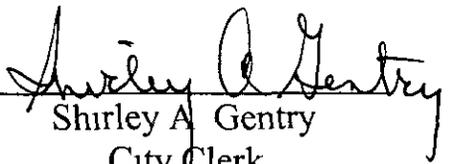
Intended Purpose the permanent wastewater line easement described in the attached Exhibit "A" is necessary to install, operate, maintain, repair, replace, and upgrade permanent wastewater lines and appurtenances thereto, in order to increase and improve the City's ability to provide sanitary sewer services to the public, to prevent leakage from wastewater lines to protect public health and safety, and to comply with a federal mandate

Location 1400 South 1st Street, Austin, Texas

Property Described in the attached and incorporated Exhibit A

ADOPTED October 11, 2007

ATTEST


Shirley A. Gentry
City Clerk



MACIAS & ASSOCIATES, L P

LAND SURVEYORS

NASSOUR INVESTMENTS, L P THE
ESTATE OF H R NASSOUR, JR, M D,
JIMMY NASSOUR AND 1400 SF, L L C

TO
CITY OF AUSTIN
(WASTEWATER EASEMENT)

February 7, 2007

DESCRIPTION FOR PARCEL 5118 29WE

DESCRIPTION OF A 0 065 ACRE (2,816 SQUARE FOOT) TRACT OF LAND OUT OF LOT 11, BLOCK A, SOUTH HEIGHTS, A SUBDIVISION RECORDED IN VOLUME 1, PAGE 121, PLAT RECORDS OF TRAVIS COUNTY, TEXAS SAID LOT 11 BEING THAT SAME TRACT DESCRIBED IN A SPECIAL WARRANTY DEED EXECUTED DECEMBER 27, 2004 TO NASSOUR INVESTMENTS L P THE ESTATE OF H R NASSOUR, JR, M D JIMMY NASSOUR AND 1400 SF, L L C RECORDED IN DOCUMENT NO 2004238963, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS, SAVE AND EXCEPT, AN 832 SQUARE FOOT TRACT DESCRIBED IN A STREET DEED EXECUTED JANUARY 14, 1988 TO THE CITY OF AUSTIN, RECORDED IN VOLUME 10565, PAGE 355 REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0 065 ACRE (2,816 SQUARE FOOT) TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

COMMENCING for reference at a calculated point on the south right of way line of West Elizabeth Street a 60 foot wide right-of-way, at the northwest corner of said Lot 11 and at the northeast corner of Lot 10, Block A of said South Heights, from said point, a 5/8" iron rod found bears S 27°42'23"W, 0 39 feet,

THENCE, S 62°24'43" E, with the south right-of-way line of West Elizabeth Street and the north line of said Lot 11, a distance of 4 40 feet to a 60d nail set having Texas State Plane Coordinate (Central Zone NAD83 (CORS) U S Feet, Combined Scale Factor 1 00010) values of N=10,064,399 83 E=3,110,534 63 for the northwest corner and the **POINT OF BEGINNING** of this tract,

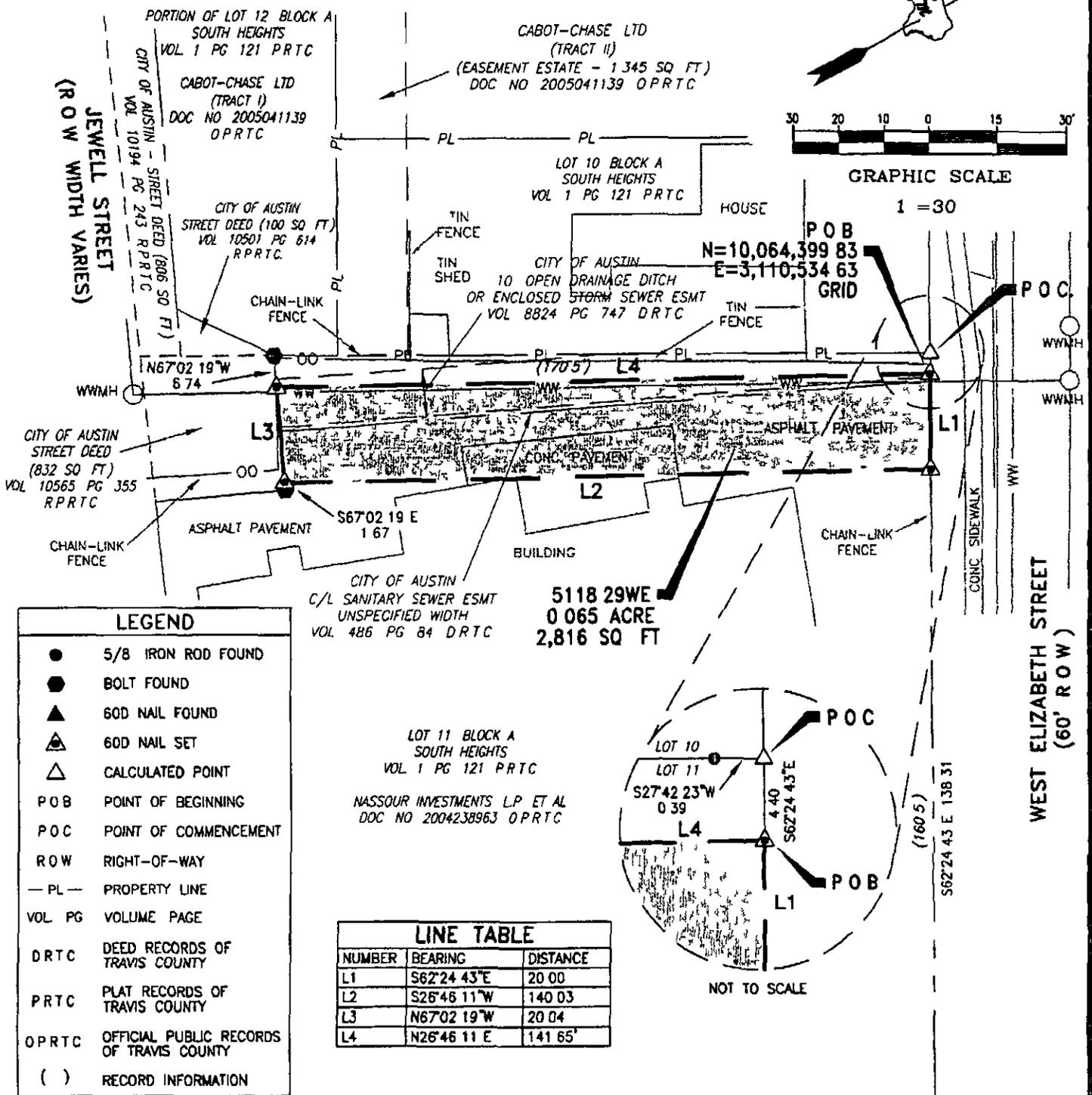
THENCE, S 62°24'43" E, continuing with the south right-of-way line of West Elizabeth Street and the north line of said Lot 11, a distance of 20 00 feet to a 60d nail set for the northeast corner of this tract, from said point, a 60d nail in concrete found at the intersection of the west right-of-way line of South 1st Street a 60 foot wide right-of-way, with the south right-of-way line of West Elizabeth Street at the northeast corner of said Lot 11, bears S 62°24'43' E, 138 31 feet

0 065 Acre (2 816 Square Feet)
Wastewater Easement

Exhibit "A"
Page 1 of 3

5118 29WE

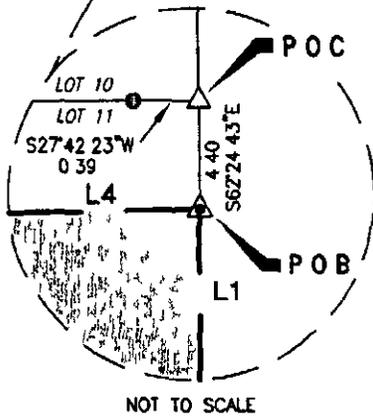
SKETCH TO ACCOMPANY LEGAL DESCRIPTION



- LEGEND**
- 5/8 IRON ROD FOUND
 - BOLT FOUND
 - ▲ 60D NAIL FOUND
 - ▲ 60D NAIL SET
 - △ CALCULATED POINT
 - POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - ROW RIGHT-OF-WAY
 - PL — PROPERTY LINE
 - VOL PG VOLUME PAGE
 - DRTC DEED RECORDS OF TRAVIS COUNTY
 - PRTC PLAT RECORDS OF TRAVIS COUNTY
 - OPRTC OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
 - () RECORD INFORMATION

LINE TABLE

NUMBER	BEARING	DISTANCE
L1	S62°24'43"E	20 00
L2	S26°46'11"W	140 03
L3	N67°02'19"W	20 04
L4	N26°46'11"E	141 65'



BEARING BASIS.
 THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE NAD83(CORS) COMBINED SCALE FACTOR = 1.00010) THE COORDINATES WERE ESTABLISHED BY GPS STATIC OBSERVATION FROM REFERENCE STATION AUSTIN RRP2 HAVING COORDINATE VALUES OF N=10 086 515 89 E=3 109 682 48 AND H=20-3001 (CORS) HAVING COORDINATE VALUES OF N=10 061 108 04 E=3 109 304 63 ALL DISTANCES SHOWN ARE SURFACE DISTANCES

SOUTH 1ST STREET (60' ROW)

Gregorio Lopez Jr
 Gregorio Lopez Jr
 Registered Professional Land Surveyor
 No 5272 - State of Texas

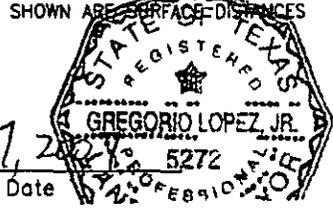


Exhibit "A"
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DATE: 2-07-07
 DRAWN BY: ALM
 MAJ JOB NO: 290-13-05
 REFERENCE: FB 469 & 472
 J:\JOBS\BINKLEY-BARFIELD\S 2ND\2901305\DWG\5118.29WE.dwg

MACIAS & ASSOCIATES INC
 LAND SURVEYORS

★ ★ ★ ★ ★ ★

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